

REMARKS

Claims 42-48 are now pending. Favorable reconsideration is respectfully requested.

The rejection of the claims under 35 U.S.C. §102(e) over Carson et al., U.S. patent No. 6,436,959, is respectfully traversed. Carson et al. is not available against Claims 42-48 under 35 U.S.C. §102(e).

The claims of the present application are entitled to the March 10, 1998 filing date of provisional application serial No. 60/077,402 (the '402 application). See pages 7-11 and 104-114 of the '402 application. See, in particular, compounds 20 and 21 at page 110 of that application.

In contrast, the 35 U.S.C. §102(e) of Carson et al. appears to be December 23, 1998. Since that date is subsequent to the March 10, 1998 filing date of the '402 application, Carson et al. does not qualify as prior art under 35 U.S.C. §102(e) against the claims of the present application. Accordingly, withdrawal of this ground of rejection is respectfully requested.

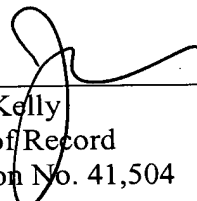
Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)



---

James J. Kelly  
Attorney of Record  
Registration No. 41,504